

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

United States of America,)	CRIMINAL NO. 0:11-519-CMC
)	
v.)	OPINION and ORDER
)	
Earl Glenn, Jr.,)	
)	
Defendant.)	
_____)	

Defendant seeks relief in this court pursuant to 28 U.S.C. § 2255. Defendant raises four grounds for relief. The Government filed a motion for summary judgment, to which Defendant responded on May 21, 2015.

The court has reviewed the complete record in this case. For the reasons argued by the Government, which the court finds to be correct and adopts as its findings, the court finds the Government is entitled to summary judgment. Defendant's arguments in opposition to summary judgment fail to establish any legal or factual error which undermines his conviction or sentence.

Accordingly, the Government's motion for summary judgment is **granted**. The motion under 28 U.S.C. § 2255 is *dismissed with prejudice*.

CERTIFICATE OF APPEALABILITY

The governing law provides that:

(c)(2) A certificate of appealability may issue . . . only if the applicant has made a substantial showing of the denial of a constitutional right.

(c)(3) The certificate of appealability . . . shall indicate which specific issue or issues satisfy the showing required by paragraph (2).

28 U.S.C. § 2253(c). A prisoner satisfies this standard by demonstrating that reasonable jurists would find this court's assessment of his constitutional claims is debatable or wrong and that any

dispositive procedural ruling by the district court is likewise debatable. *See Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Rose v. Lee*, 252 F.3d 676, 683 (4th Cir. 2001). In this case, the legal standard for the issuance of a certificate of appealability has not been met. Therefore, a certificate of appealability is **denied**.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
July 2, 2015